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To: Commissioner for Patents for Examiner Phuoc H. Nguyen Group Art Unit 2143	Facsimile No.: 703/872-9306
From: Michele Morrow Legal Assistant to Francis Lammes	No. of Pages Including Cover Sheet: 31
Message: Enclosed herewith: <ul style="list-style-type: none">• Transmittal Document; and• Appeal Brief.	
Re: Application No. 09/492,437 Attorney Docket No: AT9-99-483	
Date: Monday, March 07, 2005	
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*Incomplete.
Missing 23 pages.*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Amro et al.

Serial No.: 09/492,437

Filed: January 27, 2000

For: Instant Selective Multiple Soft
Document Sharing Between Multiple
Heterogeneous Computing Devices

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PATENT TRADEMARK OFFICE
CUSTOMER NUMBER

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Group Art Unit: 2143

Examiner: Nguyen, Phuoc H.

Attorney Docket No.: AT9-99-483

Certificate of Transmission Under 37 C.F.R. § 1.8(a)

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By:

Michele Morrow
Michele Morrow

TRANSMITTAL DOCUMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

ENCLOSED HEREWITH:

- Appeal Brief (37 C.F.R. 41.37).

A fee of \$500.00 is required for filing an Appeal Brief. Please charge this fee to IBM Corporation Deposit Account No. 50-0563. No additional fees are believed to be necessary. If, however, any additional fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 50-0563. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 50-0563.

Respectfully submitted,

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Docket No. AT9-99-483

PATENT

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<p><u>Certificate of Transmission Under 37 C.F.R. § 1.8(a)</u></p> <p>I hereby certify this correspondence is being transmitted via facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, facsimile number (703) 872-9306 on March 7, 2005.</p> <p>By: <u>Michele Morrow</u> Michele Morrow</p>

APPEAL BRIEF (37 C.F.R. 41.37)

This brief is in furtherance of the Notice of Appeal, filed in this case on January 5, 2005.

The fees required under § 41.20(B)(2), and any required petition for extension of time for filing this brief and fees therefore, are dealt with in the accompanying TRANSMITTAL OF APPEAL BRIEF.

(Appeal Brief Page 1 of 29)
Amro et al. - 09/492,437

REAL PARTY IN INTEREST

The real party in interest in this appeal is the following party: International Business Machines Corporation.

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YEE & ASSOCIATES

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RELATED APPEALS AND INTERFERENCES

With respect to other appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in the pending appeal, there are no such appeals or interferences.

(Appcal Brief Page 3 of 29)
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STATUS OF CLAIMS

A. TOTAL NUMBER OF CLAIMS IN APPLICATION

Claims in the application are: 1-29

B. STATUS OF ALL THE CLAIMS IN APPLICATION

1. Claims canceled: NONE
2. Claims withdrawn from consideration but not canceled: NONE
3. Claims pending: 1-29
4. Claims allowed: NONE
5. Claims rejected: 1-29
6. Claims objected to: NONE*

* The Advisory Action dated January 21, 2005 indicates that the Appellants' Response filed December 6, 2004 overcomes the 35 U.S.C. § 112, 1st paragraph rejection. Thus, Appellants' assume the objection to the amendments filed on July 16, 2004 under 35 U.S.C. § 132 is also overcome. That is, the objection under 35 U.S.C. § 132 was to the same subject matter rejected under 35 U.S.C. § 112, 1st paragraph.

C. CLAIMS ON APPEAL

The claims on appeal are: 1-29

STATUS OF AMENDMENTS

There are no amendments after the final rejection.

SUMMARY OF CLAIMED SUBJECT MATTER

Independent claim 1:

The presently claimed invention provides a system for providing dynamically shared documents. (Specification, page 2, lines 8-10) The present invention comprises a hub, wherein the hub is not connected to any external network. (Specification, page 4, lines 24-48) The present invention comprises a plurality of computing devices in physical proximity with the hub. (Specification, page 7, line 30 to page 8, line 5) Wherein each of the plurality of computing devices communicates with the hub via only a wireless connection. (Specification, page 8, lines 6-9) The hub receives and retransmits requested documents between selected computing devices of the plurality of computing devices. (Specification, page 8, line 28 to page 9, line 4) Each of the plurality of computing devices translates each requested document into a system independent language prior to transmitting the requested document to the hub. (Specification, page 9, lines 4-7) Each of the plurality of computing devices translates each received document from the hub. (Specification, page 9, lines 7-11)

Independent claims 11, 15, and 19:

The presently claimed invention provides a method, computer program product and system for retrieving documents from other data processing systems. (Specification, page 18, line 29 to page 19, line 1) The present invention sends, from a first data processing system, a request, in a system independent language, for a shared document from a second data processing system to a hub in close proximity to the first and second data processing systems via only a wireless communication signal, wherein the hub is not connected to any external network. (Specification, page 18, line 29 to page 19, line 1). The present invention receives, from the hub, via only the wireless communication link, the shared document, formatted in the system independent language. (Specification, page 19, lines 6-7). The present invention translates the shared document from the system independent language into a first data processing system preferred data format for presentation to a user. (Specification, page 19, lines 7-13).